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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,658	02/11/2004	Stephen O. Bozzone	7463-36 CE12125JME	3381
30448 7590 03/11/2009 AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188				
EXAMINER SOBUTKA, PHILIP				
ART UNIT 2618		PAPER NUMBER		
MAIL DATE 03/11/2009		DELIVERY MODE PAPER		

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/776,658
Filing Date: February 11, 2004
Appellant(s): BOZZONE ET AL.

Pablo Meles
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 8, 2008 appealing from the Office action mailed May 29, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,219,560	Erkkila et al	4-2001
6,907,264	Sterkel	6-2005

6029072

Barber

2-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 4-6, 14-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila et al (US 6,219,560) in view of Sterkel (US 6,907,264).

Consider claim 1. Erkkila teaches a modular wireless communication module, comprising:

a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*) and memory (*Erkkila see figure 5, item 53*); and

an interface block coupled to the processor (*Erkkila see figure 5, item 50*),

wherein the processor is programmed to operate in accordance with an identifier signal (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*) received from at least one among a plurality of detachable host devices (*note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*)

Erkkila lacks a teaching of each detachable device having different user interfaces and the processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface.

Sterkel teaches a wireless module with detachable devices wherein the wireless module controls the user interface of the detachable device (*Sterkel see for example figures 2, 3, column 6, lines 50-60*). It would have been obvious to one of ordinary skill in the art to modify Erkkila to also control the user interface of the detachable device as taught by Sterkel in order to further increase the optional features available via attaching the detachable module.

As to claim 4, Erkkila teaches the modular wireless communication module of claim 3, wherein the display presents content associated with a given detachable host device among the plurality of detachable host devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 5, Erkkila teaches the modular wireless communication module of claim 1, wherein the processor controls the operation of a given detachable host device once coupled to the given detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 6, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises an antenna coupled to the transceiver (*Erkkila see figure 5*).

Consider claim 14. Erkkila teaches an adaptable communication module, comprising:

a radio communication transceiver that identifies a user interface of a detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*), wherein the processor is adaptively (*Erkkila see figure 5, item 59, figure 5, item 51*) programmed to operate with and control a plurality of different detachable host devices having different user interfaces (*Erkkila discusses the plurality of devices that can be controlled for example on column 6, lines 1-38. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*); and

Erkkila lacks a teaching of each detachable device having different user interfaces and the processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface.

Sterkel teaches a wireless module with detachable devices wherein the wireless module controls the user interface of the detachable device (*Sterkel see for example figures 2, 3, column 6, lines 50-60*). It would have been obvious to one of ordinary skill

in the art to modify Erkkila to also control the user interface of the detachable device as taught by Sterkel in order to further increase the optional features available via attaching the detachable module.

As to claim 15, Erkkila teaches the adaptable communication module of claim 14, wherein the adaptable communication module further comprises a presentation device coupled to the processor for presenting information associated with the adaptable communication module and a given detachable host device among the plurality of host devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 16, Erkkila teaches the adaptable communication module of claim 15, wherein the presentation device is selected from among a display and a speaker (*Erkkila see figure 5*).

As to claim 17, Erkkila teaches the adaptable communication module of claim 14, wherein the plurality of detachable host devices each includes an interface block for interfacing with the interface block of the adaptable communication module devices (*Erkkila see figures 6, 7, item 60. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

Consider claim 20. Erkkila teaches a method of reusing a modular wireless communication module among a plurality of different host devices, comprising:

selectively coupling the modular wireless communication module with a first detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*) having a first user interface (*Erkkila teaches the attached devices having their own interfaces for example on column 4, lines 42-61, column 5, lines 1-15*);

recognizing the first host device to enable a processor within the modular wireless communication module to adaptively control the first host device (*Erkkila teaches the attached devices including identifying information for example on column 4, lines 13-25, column 6, lines 6-30*);

selectively coupling the modular wireless communication module with at least a second detachable host device (*Erkkila see column 4, lines 13-62, column 6, lines 1-6*);
and

recognizing the second detachable host device to enable the processor within the modular wireless communication module to adaptively control the second detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 4, lines 13-25, column 6, lines 6-30*).

Erkkila lacks a teaching of each detachable device having different user interfaces and the processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface.

Sterkel teaches a wireless module with detachable devices wherein the wireless module controls the user interface of the detachable device (*Sterkel see for example figures 2, 3, column 6, lines 50-60*). It would have been obvious to one of ordinary skill in the art to modify Erkkila to also control the user interface of the detachable device as taught by Sterkel in order to further increase the optional features available via attaching the detachable module.

Claims 7-12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila in view of Sterkel and in view of Barber (US 6,029,072)

Consider claim 7. Erkkila teaches a modular communication system, comprising:
a modular wireless communication module having a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*) and memory (*Erkkila see figure 5, item 53*) and
a first interface block coupled to the processor (*Erkkila see figure 5, item 50*);
a detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that*

Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments)

wherein the host device is one among a plurality of host devices and the processor identifies a user interface of the detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*)

Erkkila lacks a teaching of each detachable device having different user interfaces and the processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface.

Sterkel teaches a wireless module with detachable devices wherein the wireless module controls the user interface of the detachable device (*Sterkel see for example figures 2, 3, column 6, lines 50-60*). It would have been obvious to one of ordinary skill in the art to modify Erkkila to also control the user interface of the detachable device as taught by Sterkel in order to further increase the optional features available via attaching the detachable module.

Erkkila lacks a teaching of the attached (host) device having its own power source.

Barber teaches attaching devices to a wireless device wherein the attached device has its own power supply (*Barber see figures 2, 3*). Barber teaches using the power supply of the attached device to charge the battery of the wireless module (*Barber see column 4, lines 25-50*). It would have been obvious to one of ordinary skill in the modify the attached device of Erkkila to have its own power in order to allow the attached device to charge the battery of the wireless module as taught by Barber.

Consider claim 8. Erkkila teaches the modular communication system of claim 7, wherein the modular wireless communication module further comprises a digital signal processor coupled to the processor (*Erkkila see figure 5, item 52*).

Consider claim 9. Erkkila teaches the modular communication system of claim 7, wherein the modular wireless communication module further comprises a display coupled to the processor (*Erkkila see figure 5, item 55*).

Consider claim 10. Erkkila teaches the modular communication system of claim 9, wherein the display presents content associated with a given detachable host device among the plurality of detachable host devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

Consider claim 11. Erkkila teaches the modular communication system of claim 7, wherein the processor controls the operation of a given detachable host device once coupled to the given detachable host device (*Erkkila see column 4, line 15 – column 5, line 6, column 6, lines 1-6*).

Consider claim 12. Erkkila teaches the modular communication system of claim 7, wherein the module further comprises an antenna coupled to the transceiver (*Erkkila see figure 5*).

Consider claim 19. Erkkila teaches a detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*) for mating with a modular wireless communication module having a first interface block (*Erkkila see figure 5, item 50*) and a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*), comprising:

a second interface block (*Erkkila see figure 6,7, item 60*), wherein the detachable host device is one among a plurality of detachable host devices controlled by the processor when the first interface block recognizes the second interface block of the host device and a processor in the modular wireless communication module identifies the user interface in the detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 4, lines 15 - column 5, line 15, column 6, lines 6-30*).

Erkkila lacks a teaching of each detachable device having different user interfaces and the processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface.

Sterkel teaches a wireless module with detachable devices wherein the wireless module controls the user interface of the detachable device (*Sterkel see for example figures 2, 3, column 6, lines 50-60*). It would have been obvious to one of ordinary skill in the art to modify Erkkila to also control the user interface of the detachable device as

taught by Sterkel in order to further increase the optional features available via attaching the detachable module.

Erkkila lacks a teaching of the attached (host) device having its own power source.

Barber teaches attaching devices to a wireless device wherein the attached device has its own power supply (*Barber see figures 2, 3*). Barber teaches using the power supply of the attached device to charge the battery of the wireless module (*Barber see column 4, lines 25-50*). It would have been obvious to one of ordinary skill in the modify the attached device of Erkkila to have its own power in order to allow the attached device to charge the battery of the wireless module as taught by Barber.

Claims 2,3,13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila in view of Sterkel.

Consider claim 13. Erkkila teaches the modular communication system of claim 7, but lacks a teaching of wherein a given host device among the plurality of host devices is selected from the group of a monolith phone, a flip phone, a wristwatch communicator, a camera phone, a video phone, a qwerty key-board host device, a pendant-shaped host device, an MP3 player device, a heart rate monitor, a game controller host, a toy, a stroller, and a crib (*note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments.*

Note also that Erkkila envisions that the wireless module could be used with a variety of devices as described in column 2, lines 33-40, column 3, lines 5-20, column 4, lines 39-61, column 9, lines 25-55).

Official Notice is taken that it is known to attach all of the claimed devices to a wireless transceiver. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila to attach the claimed devices in order to provide the attached device with wireless capabilities.

As to claim 2, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises a digital signal processor coupled to the processor (*Erkkila see figure 5, item 52*) that includes the specific software needed for control of the different user interfaces (*Erkkila see column 3, lines 42-62*). Erkkila lacks a teaching of the control software including user preferences. Official Notice is taken that it is notoriously well known in the art for control software to include user preferences. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila as shown in the claims to store user preferences as well as the control software in order to eliminate the need for users to reset preferences each time the user desired to use the interface.

As to claim 3, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises a display coupled to the processor (*Erkkila see figure 5, item 55*), and wherein the display presents input from the user interface of the detachable host in accordance with the specific software needed for control of the different user interfaces (*Erkkila see column 3, lines 42-62*). Erkkila lacks

a teaching of the control software including user preferences. Official Notice is taken that it is notoriously well known in the art for control software to include user preferences. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila as shown in the claims to store user preferences as well as the control software in order to eliminate the need for users to reset preferences each time the user desired to use the interface.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila in view of Sterkel and in view of Barber.

Consider claim 18. Erkkila in view of Sterkel and in view of Barber teaches the adaptable communication module of claim 14, but lacks a teaching of wherein a given detachable host device among the plurality of detachable host devices is selected from the group of a monolith phone, a flip phone, a wristwatch communicator, a camera phone, a video phone, a qwerty key-board host device, a pendant-shaped host device, an MP3 player sport device, a heart rate monitor, a game controller host, a toy, a stroller, and a crib (*note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments. Note also that Erkkila envisions that the wireless module could be used with a variety of devices as described in column 2, lines 33-40, column 3, lines 5-20, column 4, lines 39-61, column 9, lines 25-55*).

Official Notice is taken that it is known to attach all of the claimed devices to a wireless transceiver. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila to attach the claimed devices in order to provide the attached device with wireless capabilities.

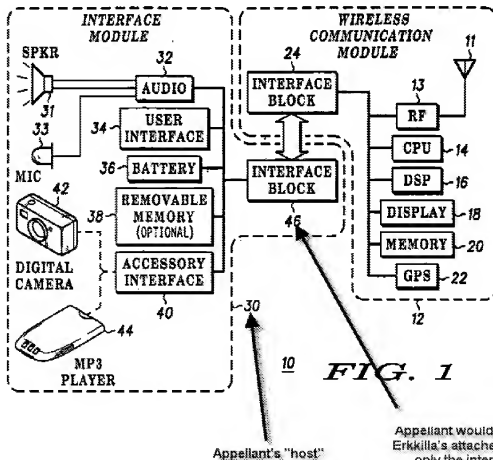
(10) Response to Argument

Appellant continues to argue terminology rather than the specific claimed elements, specifically appellant argues the interpretation of the term "host" and the limits of the prior art attachment device. Examiner maintains that this difference in terminology is essentially meaningless when details and functionality of the claimed invention are examined.

In its essential elements the application involves connection of one device, lets call it device "A" which could be a camera, MP3 player or game controller, with device 'B' which provides a wireless function. Appellant's primary arguments center on the fact that while the instant application refers to the device A (i.e. the camera, MP3 player or game controller) as the "host", the primary prior art reference (Erkkila) refers to device 'B' (i.e. the wireless device) as the host. Appellant further tries to limit Erkkila's teaching of attachment devices to merely a miniature "expansion card", which, if true might call into question the examiners proposed combinations.

These arguments' are perhaps best addressed by a comparison of one of appellant's own figures with a prior art figure.

Consider first appellant's figure 1, shown below; note that appellant considers the entirety of the elements within the dotted line 30 as the "host", i.e the digital camera, or MP3 player, and whatever cable would connect them, through interface blocks 46 and 24 to the wireless module.



Appellant would equate
Erkkilla's attachment to
only the interface
portion

Compare the above figure with Erkkila's figure 4, shown below, item 30 is the wireless device 10 is a card interface, 24 is the cable connecting it to an optical unit for a digital camera

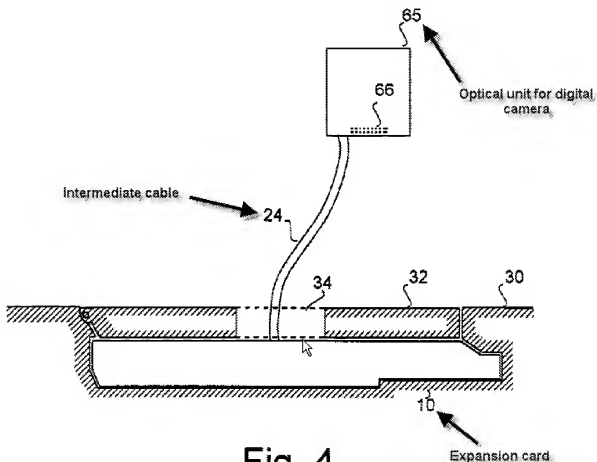


Fig. 4

Erkkila's attachment comprises elements 65, 24 and 10.
Appellant argues that the attachment is only element 10.

Erkkila describes the digital camera arrangement of figure 4 on column 5, lines 33 – 45. Appellant argues that Erkkila's teaching is limited to a device embodied by a miniature card. However, in addition to the embodiment shown above (which is clearly not merely a miniature card), Erkkila also teaches the embodiments described in column 4, lines

43-56 quoted below :*(Note that in the following passages, Erkkila refers to the wireless unit as the host device. As noted above, this characterization of the wireless unit as a "host device" should carry little weight in light of appellants own disclosure. The examiner added annotations in italics, to show the way the passages are being interpreted for the rejections)*

"Advantageously, such interfaces include, say, an interface for an additional loud-speaker, and interface for pointing devices such as a mouse or digitizing table, and interface for a bar code reader, so that the system can be used e.g. for making an inventory of items marked with bar codes, or an interface for an external display, in which case the system can be connected to a larger display for desktop or conferences room use.

If necessary parts of expansion cards providing interfaces for external devices can also be located outside the host device (*i.e Erkkila's wireless module*). An example of such an embodiment is an expansion card providing a printer interface, comprising a connector outside the host device (*i.e Erkkila's wireless module*) connected through a cable to the expansion card which includes the printer interface control software."

As shown in at least the citations above, Erkkila's attached device should not be limited to merely a miniature card and therefor the attachment clearly correspond to at least some of the attached devices appellant envisions, as shown in appellants figure 1, shown above. Since it is this alleged limitation of Erkkila's attachment that appellant bases the arguments' against the proposed combinations, these arguments are not persuasive.

Again addressing appellant arguments that Erkkila's mobile phone cannot be considered a "host" device, note that Erkkila's wireless phone is "hosting" the wireless functions, in contrast to appellants embodiment as shown in appellants figure 1, in which it is difficult to understand how for example the digital camera 43 shown in figure 1 above, would be "hosting" the wireless device. It should further be noted that the appellant did not even use the term host in displaying these embodiments. Therefore the arguments based on interpretation of the term "host" are not persuasive.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Philip J Sobutka/

Primary Examiner, Art Unit 2618

Conferees:

/Edward Urban/

Supervisory Patent Examiner, Art Unit 2618

/Matthew D. Anderson/

Supervisory Patent Examiner, Art Unit 2618